

**Appendix 1: Proposed
Amendments to Title 17 California
Code of Regulations,
Section 94006**

Proposed Regulation Order
Proposed Amendments to the Vapor Recovery Equipment Defects List

Note: Set forth below are the proposed amendments to the Defects Substantially Impairing the Effectiveness of Vapor Recovery Systems Used in Motor Vehicle Fueling Operations. The text of the proposed amendments is shown in underline to indicate additions and ~~strikeout~~ to indicate deletions, compared to the preexisting regulatory language.

Amend Article 1, Subchapter 8, Chapter 1, Division 3, Title 17, California Code of Regulations to read as follows:

§94006. Defects Substantially Impairing the Effectiveness of Vapor Recovery Systems Used in Motor Vehicle Fueling Operations.

(a) For the purposes of Section 41960.2 of the Health and Safety Code, any defect that meets the following criteria shall be considered substantial and listed by the Air Resources Board: the defect did not exist when the system was certified; the excess emissions associated with the defect have the potential to degrade fueling point or system efficiency by at least five percent; and, a field verification procedure exists to identify the defect.

(b) For the purposes of section 41960.2 of the Health and Safety Code, equipment defects in systems for the control of gasoline vapors resulting from motor vehicle fueling operations which substantially impair the effectiveness of the systems in reducing air contaminants are set forth in the “Vapor Recovery Equipment Defects List” adopted September 23, 2002 as last amended [insert date] which is incorporated by reference herein.

Note: Authority cited: Sections 39600, 39601, and 41960.2, Health and Safety Code. Reference: Sections 41954 and 41960.2, Health and Safety Code.